



## ***Sustainability Report*** ***Performance Period April 2003 – June 2003***

### **Introduction**

The DOE collects data through multiple means to provide current information on system infrastructure and performance. Data collection and analysis is part of a dynamic management process designed to assist in informed administrative decision-making and to ensure the meaningful application of resources, fiscal and human, to achieve high levels of student achievement. During the fourth quarter, the Department continued to refine data collection and analysis processes to improve system responsiveness and to provide a clearer picture of system performance.

Even though the fourth quarter represents a “winding down” of school operations, there continued to be improvement in performance on key indicators during this report period: (1) there were increases in the availability of qualified staff available to support students; (2) the fiscal resources continued to be available to contract for services not provided by employees; (3) On-going system performance monitoring has proactively managed the delivery of services to provide timely access to quality supports and services; and (4) staffs, instructional and related service, continued to receive training in evidence-based interventions in support of student achievement.

### **Infrastructure**

Within the Department, the Comprehensive Student Support System (CSSS) provides the requisite infrastructure for the provision of programs necessary to provide educational, social, and emotional supports and services to all students, which afford them an opportunity to benefit from instructional programs designed to achieve program goals and standards. EDN150 contains those resources, fiscal, human, material, procedural, and technological, important to the provision of appropriate supports and services to students within the Felix Class. The objective of EDN150 programs are to maintain a system of student supports so that any student requiring individualized support, temporary or longer term, has timely access to those supports and services requisite to meaningful achievement of academic goals.

The next segments of this section contain elements of the CSSS infrastructure determined to be essential to the functioning of a support system constituting an adequate system of care. During the course of the Felix Consent Decree, the Department routinely provided progress reports addressing the availability of qualified staff, funding, and an information management system (ISPED) as a means to provide information germane to assessing system capacity to provide a comprehensive student support system.

## Population Characteristics

The Department provides educational supports and services within CSSS levels 4 and 5 to approximately 15% of the total student enrollment. These are documented in Individualized Education Plans (IEP) or 504 Modification Plans (MP). Students receiving educational services through the Individuals with Disabilities Education Act (IDEA) must first be determined to have a disability and, due to the disability, be in need of specialized instruction. Section 504 students must be determined to have a disability, or history of a disability, and be in need of modifications or supports to benefit from instruction. Of those students requiring CSSS supports in levels 4 and 5, 24,050 (88.2%) are IDEA eligible and 3,227 (11.8%) are eligible under Section 504.

Table 1 of this section delineates the numbers, relative percentages, and changes from last report period by IDEA eligibility category. There was a 3.3% increase in the number of students receiving IDEA services during this period. The most notable increases were in the other health impaired, autism, and developmental delay categories. A significant decrease is obvious in the specific learning disabilities category. It would appear that these “trends” are reflective of students transitioning into Pre-K classes and departing high school students. While it is not a statistically significant increase, there is also a noticeable increase in the number of students eligible as emotionally disturbed. As a cautionary note, because this data represents a snapshot without the benefit of previous information from a similar period, there are limits to the conclusions that may be drawn.

Table: Change in Number and Relative Percentage of Students Eligible for Special Education

Disability	#	%	#	%	% $\Delta$
Mental Retardation	2,155	9.3	2,121	8.8	-1.5
Hearing Impairment	436	1.9	443	1.8	1.6
Speech/language Impairment	1,699	7.3	1,520	6.3	-10.5
Other Health Impairment	1,884	8.1	2,195	9.1	16.5
Specific Learning Disability	11,372	48.9	10,569	44	-7.1
Deaf-Blindness	3	.0	4	.0	-
Multiple Disabilities	382	1.6	391	1.6	2.3
Autism	646	2.8	752	3.1	16.4
Traumatic Brain Injury	80	.3	86	.3	7.5
Developmental Delay	1,412	6.1	2,604	10.8	84
Visual Impairment	82	.4	80	.3	-2.4
Emotional Disturbance	3,011	12.9	3,089	12.8	2.59
Orthopedic Impairment	115	.5	121	.5	5.2
TOTAL	23,277		24,050		3.32

Approximately 35% of students receiving educational supports and services also require related services to address social, emotional, or behavioral needs in order to make meaningful progress on goals identified in their IEP or MP. At the end of this report period, 83% (6,713) of those students were IDEA and 17% (1,647) were 504. Nearly 5% of the total student enrollment receives educational and related services to address educational and social, emotional, or behavioral needs in the educational arena.

Services provided to these students fall into two broad categories: School Based Behavioral Health (SBBH) Services and services to students with Autism Spectrum Disorder (ASD). While

the determination of need for and type of SBBH or ASD service necessary for any individual student to benefit from their educational plan is made by a team during the development of the plan, guidelines regarding the provision of these services are in the joint DOE and DOH Interagency Performance Standards and Practice Guidelines.

*(134) The system must continue to hire and retain qualified teachers and other therapeutic personnel necessary to educate and serve children consistently*

(Revised Felix Consent Decree, July 1, 2000, page 20)

### Qualified Staff

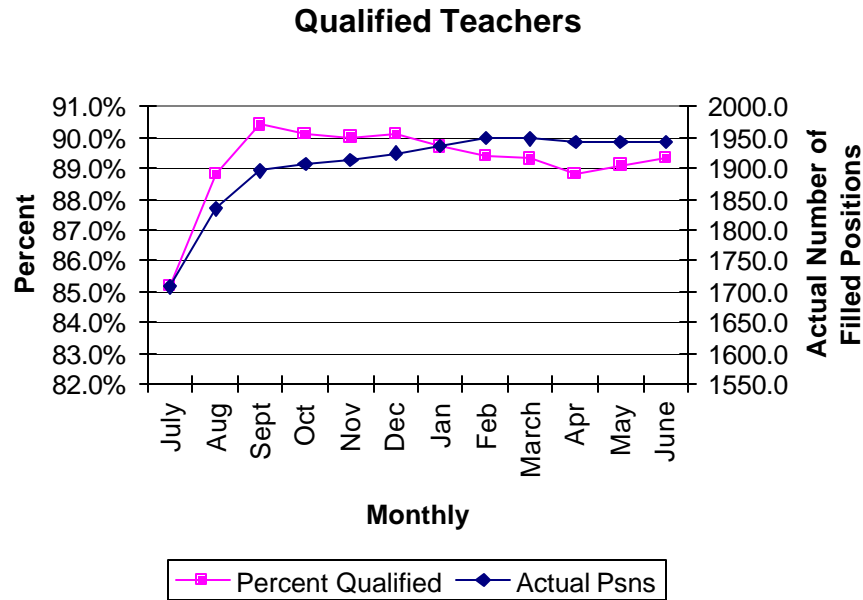
Qualified staff providing instructional and related services are the lynchpin of appropriate educational and related services for students with disabilities, for they are the ones with expertise and training in curriculum, instruction, and knowledge of the impact of the student's disability on the learning process. They, in conjunction with parents and others, develop and implement appropriate interventions designed to meet the unique needs of students.

The following staffing goals, when combined, provide evidence that there are sufficient qualified teachers evenly distributed across the state to ensure timely access to specialized instruction for students and professional support to those providing educational and related services and supports to students with disabilities.

*Infrastructure Goal #1: Qualified teachers will fill 90% of the special education teacher positions in classrooms.*

This is an important measure of the overall availability of special education instructional knowledge available to support student achievement. A qualified teacher in this measure indicates the individual holds either a license or certification as a special education teacher.

Over this report period the number of special education teachers in classrooms remained stable at 1,942. The overall percentage of qualified special education teachers placed in special education classrooms continued to be 89.3%.



The Department continues to employ 195 teachers through the contract with Columbus. This contract continues next school year, although the number of teachers required through this contract is expected to decrease.

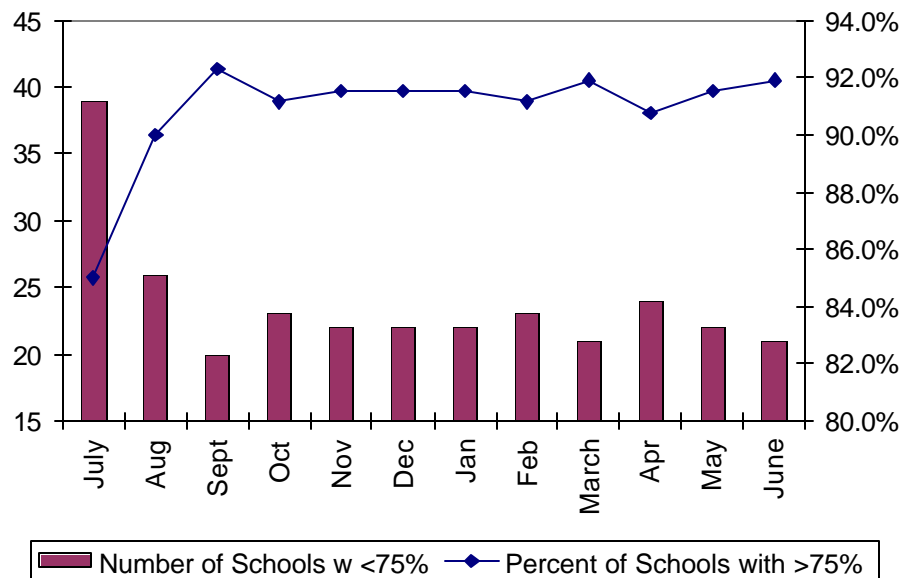
Current department projections for the upcoming school year are quite favorable. The Office of Human Resources (OHR) reports an increase in interest and applications from mainland recruiting efforts. Part of this increase is attributed to projected reduced funding available for education in several West Coast states. OHR is conducting biweekly tracking of new hires and placement.

*Infrastructure Goal #2: 95% of the schools will have 75% or greater qualified teachers in special education classrooms.*

A previous benchmark set forth the target of no school with less than 75% qualified teachers in the classroom. In order to meet this goal, schools requiring less than four (4) special education teacher positions, 15% (39) of the schools, would be required to have all (100%) of the placed special education teachers qualified. The Department has determined a practical goal is that 95 % of all schools will have 75% or greater qualified special education classroom teachers.

This measure provides information regarding the availability of special education knowledge and expertise to assist with day-to-day instructional and program decision making in support of special needs students.

### School staffing rates



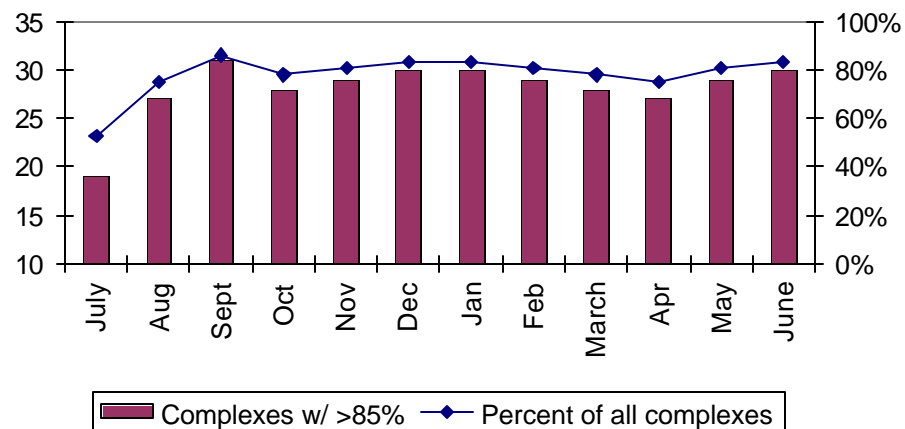
The targeted placement of qualified special education teachers in special education classrooms during this period maintained the percentage of schools with greater than 75% qualified teachers at 92%. During this quarter the number of schools with less than 75% qualified staff held steady, even though there was an initial increase in the month of May. Only 2 of the schools required more than one (1) F.T.E. to meet the goal of 75% qualified teachers and eleven (11) involved .5 F.T.E. positions.

New directions have been issued to Personnel Resource Officers, PROs, regarding the timely offer of contracts and filling of vacant positions for the upcoming school year. Vacancy lists are followed on a weekly basis regarding interviews and offers of employment. Frequent monitoring of the placement of newly hired staff will alleviate the pockets of less than qualified teachers in some schools during the 03-04 school year.

*Infrastructure Goal #3: 85% of the complexes will have greater than 85% or greater qualified teachers in special education classrooms.*

This measure helps illustrate the distribution of special education instructional expertise throughout the state. There is no previous court benchmark targeting staffing at the complex level. However, the prevalence of qualified staff throughout a complex is an indicator of the degree of support available to school staff and the continuity of instructional quality over time for students. For example, the impact of less than 75% qualified staff in a school within a complex with all other schools fully staffed is far less than if all schools had less than 75% qualified staff. Therefore, the Department has added this measure as an internal infrastructure indicator for monitoring.

### Complex Staffing



Improvement in the number of complexes with greater than 85% qualified staff occurred during this quarter, from 28 March 2003 to 30 in June 2003. However, the department remained one complex short of the goal of 85% of the complexes meeting this target. Consequently, as stated earlier, new directions have been issued to Personnel Resource Officers, PROs, regarding the timely offer of contracts and filling of vacant positions for the upcoming school year.

*Infrastructure Goal #4: 95% of all Educational Assistant positions will be filled.*

Educational Assistants (EAs) provide valuable support to special education teachers and students throughout the school day and in all instructional settings. Since SY01-02, the EA allocation ratio has been 1:1 with the Special Education Teacher allocation. The 100% increase in positions exacerbated a problematic personnel recruitment process, namely recruiting and employing EAs through the Department of Human Resources Development.

The Department has added this infrastructure goal to monitor the employment rate of EAs.

The actual number of EA positions equals or exceeds the number of allocated special education teacher positions because EA positions may be reconfigured in order to maximize support availability during the time students are in class.

The rates of filled civil service and emergency hire positions continue to increase slightly. The goal of 95% of EA positions filled was not met. There are 2,044 EA positions in schools, with 1,819 (89%) filled. Of the 2,044 EA positions, 1820 are established as civil service positions, 93% are filled. Eighty percent (80%) of the Emergency Hire (EH) positions were filled at end of the school year. The decrease in the number of EH positions filled is attributable to the filling of civil service positions by those employees previously in EH positions and the ending of the school year.

	Sept	Jan	Feb	March	April	May	June
% Filled	88%	90%	90%	90%	90%	88%	89%

The PROs and Complex Area Superintendents (CAS) have received directions regarding the timely filling of EA positions. Information regarding complexes and specific schools that fall below this infrastructure goal is now disseminated to the CAS on a monthly basis for follow up action.

*HDOE will maintain sufficient SBBH staff to serve students in need of such services.*

*Infrastructure Goal #5: 75% of the School-Based Behavioral Health professional positions are filled.*

The use of an employee-based approach to provide School Based Behavioral Health (SBBH) services provides greater accessibility and responsiveness to emerging student needs. While it is anticipated that some degree of services will always be purchased through contracts due to uniqueness of student need and unanticipated workload increases, day to day procedures presume the availability of staff.

The number of SBBH professional staff positions, psychologists and specialists, continues to be 326 Full-time Equivalent (F.T.E.). Unfortunately, the percentage of those positions filled is only 66%. Vacancies occur in all locations with the most notable trend appearing in rural communities. Last year at this time an average of 80% of the 239 SBBH positions were filled.

At the end of this school year the number of hired SBBH staff continues to be less than desired. While the active monitoring and proactive problem solving by SBBH Program Coordinators provides continuous services to students, the SBBH system relies more heavily on contracted services than intended.

There are currently 30 more applicants in the interviewing process. The Officer of Human Resources, in cooperation with the Department of Human Resource Development is creating entry-level positions to increase the potential applicant pool. These positions initially will require greater on-the-job training and supervision but possess the necessary knowledge and skills to provide SBBH supports and services to students. Continued monitoring and work is necessary to meet the Department's goal of 75% staffing.

*Infrastructure Goal #6: 80% of the identified program specialist positions are filled.*

Since 2001 the DOE has recognized the importance of professional staff in providing leadership in program and skill development. These functions are fulfilled through either contracts or employees' specific activities related to School Based Behavioral Health, Functional Behavior Assessment, Reading, Services for Autism Spectrum Disorder, and Individualized Education Plan Development and are critical in sustaining professional development and improvement in skills and knowledge of effective educational and therapeutic methods among service providers and consumers of such services.

Function	Status
SBBH Specialist	Filled – Jean Ramage, Ph.D.
Functional Behavioral Specialist	This position converted to two (2) psychologist positions. One (1) is filled, recruiting continues for the second position.
IEP Development	This position is currently being advertised after being filled by contract for two (2) years.
Reading Specialist	Filled – Suzanne Langford, Ph.D.
Autism Specialist	Internal and external recruitment did not produce any qualified candidates. Immediate action to provide ongoing administrative oversight and contracts for program expertise are underway.



This infrastructure measure is not met. The initial intent in this requirement to infuse programmatic expertise in the Department has only been partially successful. While each hired specialist has brought much needed knowledge and skills to the field, significant administrative duties and the challenge of providing immediate and profound impact on a large school system has tested each program specialist and reduced their overall effectiveness. Furthermore, increased levels of knowledge and skills possessed by Department staff and contractors has changed the area of expertise necessary to continue to foster system growth and improved performance. The system now requires experienced administrators, supervisors, and trainers of discrete intervention skills.

### Integrated Information Management System - ISPED

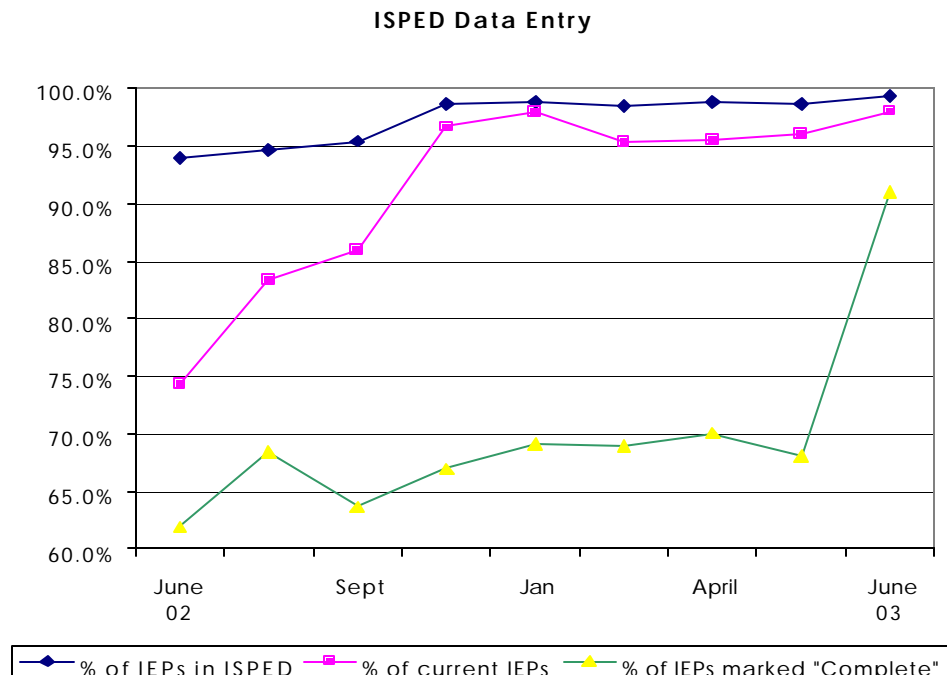
The need for an information management system to provide relevant data for analysis and decision-making is an important component of the infrastructure necessary to sustain high levels of system performance in the area of supports and services to students in need of such services. This information provides the basis for resource allocation, program evaluation, and system improvement.

Meaningful measurement of ISPED will provide specific information regarding the following: 1) ISPED data accuracy, 2) ISPED role in important management decisions, and 3) ISPED use by DOE administrators, CASs and principals.

#### *Infrastructure Goal #7:*

- a) 99% of special education and section 504 students are in ISPED,*
- b) 95% of IEPs are current, and*
- c) 95% of the IEPs are marked complete.*

The utility of ISPED as an information management system lies in the ability to provide a wide variety of users information that improves their productivity. Whether the information is unique student specific information used in program development or aggregate information used for planning purposes, accuracy and completeness is necessary. The three components embedded in Infrastructure Goal #7, when achieved and maintained, will give users confidence that accessed information will assist in good decision-making.



#### ISPED Status on Corrective Actions:

Two of the three parts of this infrastructure goal have exceeded the target. The third, Percentage of IEPs “Marked Complete” has shown dramatic improvement, although it is still below the target of 95%.

The ISPED system continues to show improvements in use and data quality. Since April, the following system improvements are noted:

Mark Complete Feature – This feature was redesigned and recoded to allow users to “correct” errors in documents previously marked complete. This has resulted in users feeling more comfortable about marking their IEP documents complete, thus allowing more service providers to complete their visit records in ISPED. In April, only 70% of the current IEPs were marked complete; in July, 91% are marked complete. When teachers return to school this goal will be met.

System Issues – In June, the load on the ISPED servers was extremely high as users rushed to update and complete their records for the year. This resulted in some server performance delays. To address this concern, five new servers have been purchased and will be installed in mid-August. In addition, upgrade to Domino 6 and developing a data archive solution will also be implemented within the next quarter. Both should result

in faster execution and processing of documents and agents, and the ability to support more concurrent users.

In addition, several changes to the ISPED application will be released to production in mid-August. These changes reflect enhancements related to compliance, improving data quality, and “user friendliness” of the system.

*Infrastructure Goal #8: ISPED will provide reports to assist in management tasks.*

Since April, eleven additional reports have been added to ISPED. Included are an Enrollment Verification Report, an ESY Services Report, and a Summary of Monthly Visit Record Report. Each report continues to provide valuable information required to meet federal compliance, as well as data to support school level monitoring and compliance. Staffing allocations for special education positions are determined through ISPED enrollment reports.

*Infrastructure Goal #9: School, district, and state level administrators will use ISPED.*

ISPED provides DOE administrators 26 real time reports designed to assist in measuring system performance at the school, complex, and state levels, as well as provide data for resource allocation. One indicator of the ISPED system’s utility is the number of DOE administrators that access the system in the course of their work. This information is now available and provides a broad indicator of both the utility of the reports as well as administrative behavior regarding the use of data in proactive management.

These results, although initial, are encouraging. Principals and District Education Specialists (DES) frequently access ISPED. Complex Area Superintendents (CAS) infrequently use the ISPED reports. Whether this is due to the fact that their support staff, DESs, actually use ISPED to gain information for CAS decision making or that the CASs lack an understanding of the full features of ISPED is not clear in this data.

**Administrator “Log On to ISPED”**

	CAS	DES	Principal
April	0	121	595
May	5	131	640
June	3	184	482

Based on this data and action plans generated through the Special Education Section designed to improve overall system

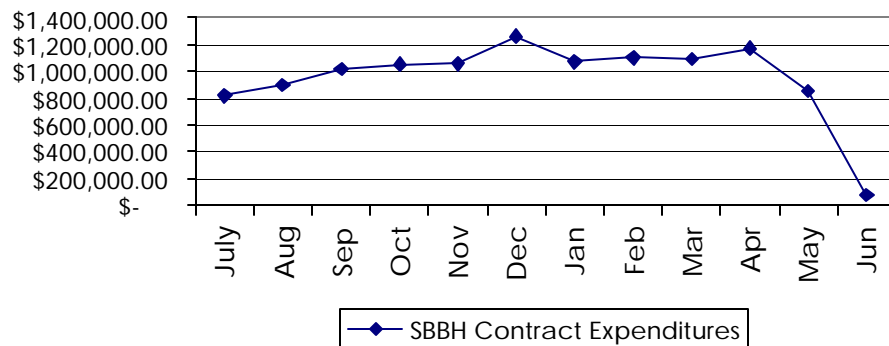
performance, the Department expects to see these numbers increase as the school year begins. Training for CAS and DES specific to the use of ISPED reports for improving system performance is part of these action plans currently being implemented.

*(135) The system must be able to continue to purchase the necessary services to provide for the treatment of children appropriate to the individual needs of the child.*

*Infrastructure Goal #10: The Department will maintain a system of contracts to provide services not provided through employees.*

During this report period the DOE has maintained contracts with 26 different private agencies to provide SBBH services, including Community-Based Instruction Programs, on an as needed basis. Expenditures have increased each month due to the reduced number of SBBH employees.

SBBH Contract Expenditures

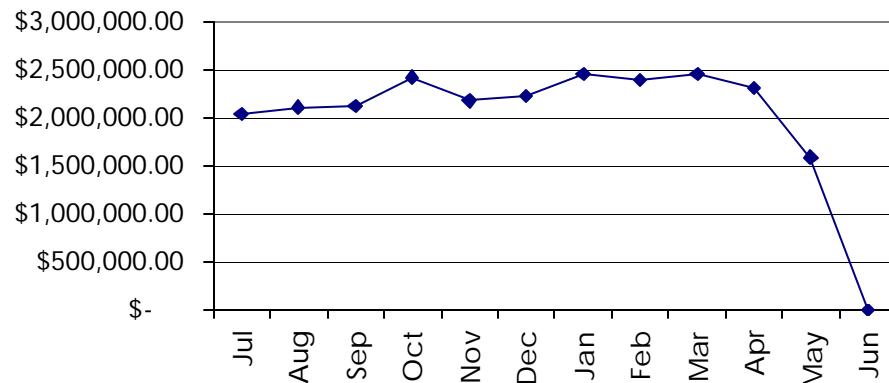


These expenditures do not include costs associated with the provision of SBBH services on Kauai and do not represent the total cost for the months of May and June due to the lag between receipt of billing and payment of invoices. Expenditures include assessments and ongoing intervention services. Two thousand nine hundred twenty two (2,922) ongoing interventions were delivered through contracts during this quarter. The average monthly expenditure through the first eleven months was slightly over \$1M.

Similarly, contracts for the provision of services to students with Autism Spectrum Disorder (ASD) were developed with 17 different private agencies. In the first quarter these contracts, due to the withdrawal of the Request for Proposals for ASD services, were based upon previously established contractual relationships between CAMHD and private agencies.

The table below includes expenditures from Kauai. Again, the data for May and June is incomplete due to the processing lag between when contractors submit bills and payments are made to the contractor. During this period 835 individual students (ASD and other) received contracted services at an average expenditure of approximately \$2.1M a month.

ASD Contract Expenditures



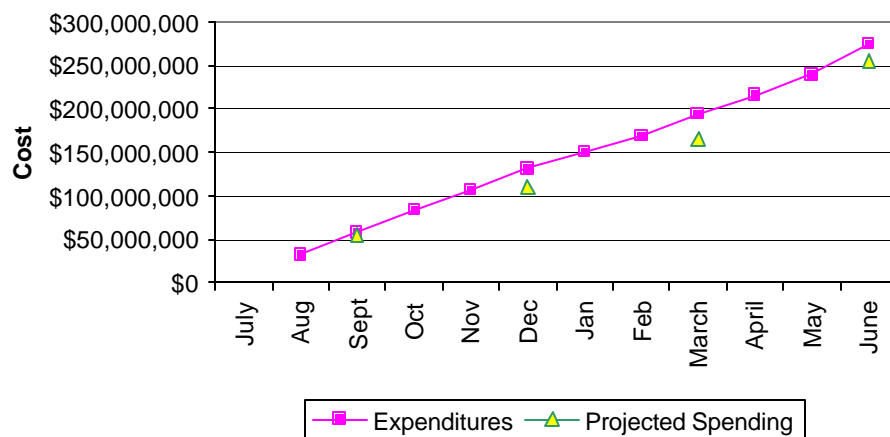
During this report period, the Department finalized contracts awarded based upon the Request for Proposals (RFP) issued during last quarter in order to begin the procurement process for the next biennium. There were nine (9) RFPs covering the following services: assessments, behavioral interventions, intensive services, psychiatric services, and five (5) for Community Based Instruction (CBI) services. Listed below are the number of contracts by type of service.

Type of Service	Number of Applicants	Number of Contracts
Assessment	10	10
Behavioral Intervention	13	11
Intensive Services	12	12
Psychiatric Services	9	8
CBI (ages 3-9)	3	1
CBI (ages 10-12)	3	2
CBI (ages 13-200)	8	3
CBI (gender specific)	2	1
CBI (ASD/SMR)	2	1

*Infrastructure Goal #11: Administrative measures will be implemented when expenditures exceed the anticipated quarterly expenditure by 10%.*

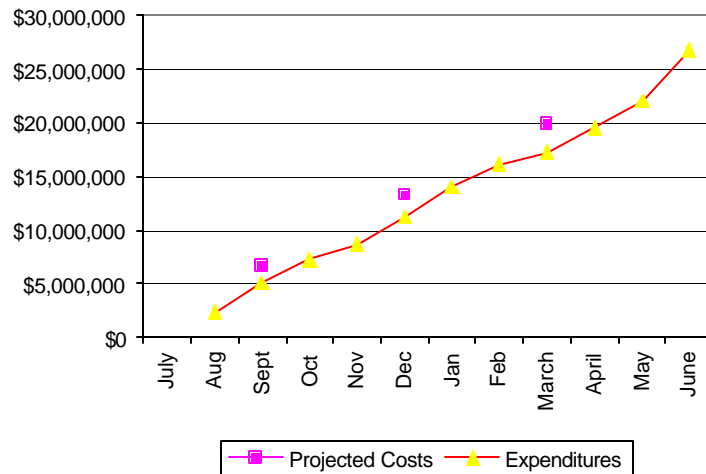
The Department regularly reports on expenditures for EDN150. This measurement monitors the extent to which the system responds to use of resources during the quarter. Total expenditures for EDN150 for the year totals \$274,134,437. The initial budget projection was \$255,214,508. Movement of funding within EDN150 and additional funds from the DOH, as reported in the last Sustainability Report, resulted in sufficient funds to meet program needs. Approximately 13% of the EDN150 expenditures occurred during this quarter. This infrastructure goal was met as the Department tracked, adjusted, and funded necessary program expenditures.

**EDN 150 Expenditures and Projected Costs**

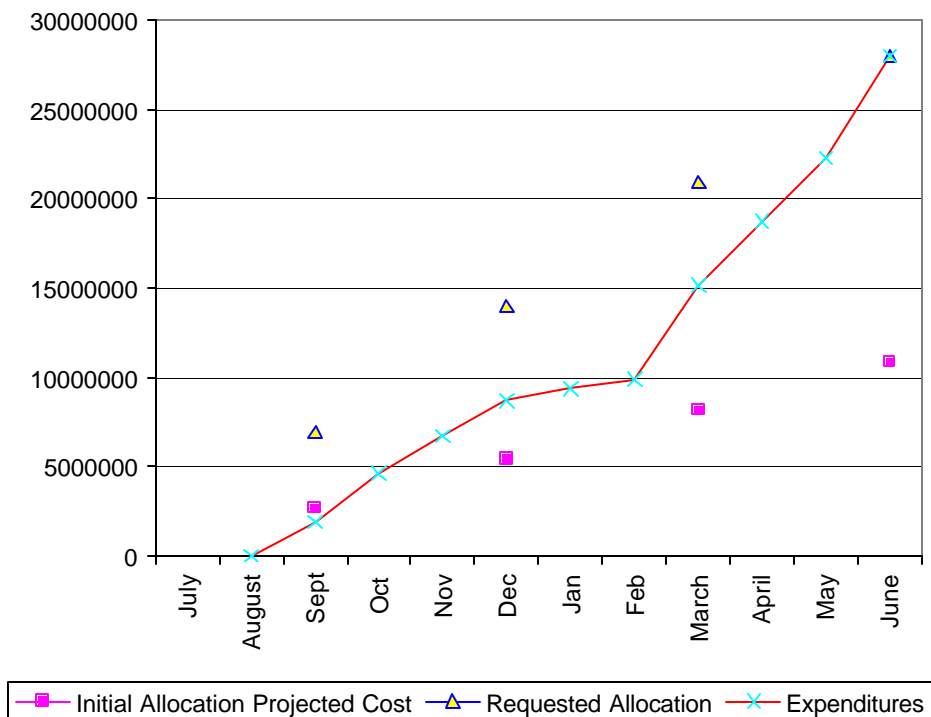


Adequate funding, whether used for employee salaries, contracted services, system improvements, staff development or, equipment, is necessary to maintain an adequate infrastructure to support acceptable system performance. By October 2002 it was clear that expenditures in EDN150 were exceeding budget projections. Internal reviews were initiated and continued.

SBBH, due to the expected increase in contracted services due to staffing shortages, was investigated for excessive expenditures but was found to be within the anticipated budget. This was due to the movement of funding for employee salary to pay for contracted services. SBBH expenditures throughout the year, and in this quarter, were within budget projections. The movement of funding between object codes (i.e., salary to contracted services) to more accurately reflect expenditures was necessary.

**SBBH Expenditures**

ASD expenditures however, as noted in the graph, were above the initial budget allocated to the Department for the provision of such services. Initial budget projections suggested that additional funds would be necessary to meet these obligations. The Department shifted funds to maintain services while the

**ASD Expenditures and Projected Costs**

Superintendent prepared an emergency budget request for submittal to the State Legislature. However, additional funds were transferred from the Department of Health to provide the additional funds needed to maintain services throughout the remainder of the year.

During this year, contracted services to students with ASD totaled nearly \$28M. This was significantly higher than the initial \$10.8M transferred from the DOH and higher than mid year projections.

## Key Performance Indicators

The existence of an adequate infrastructure is not an end in and of itself. The true measure of the attainment of EDN150 program goals and objectives are in the timely and effective delivery of services and supports necessary to improve student achievement. While the measurement of student achievement lies within the purview of classroom instruction, key system performance indicators exist that provide clear evidence of the timeliness, accessibility, and appropriateness of supports and services provided through EDN150 and the responsiveness of CSSS to challenges threatening system performance.

*(136) The system must be able to monitor itself through a continuous quality management process. The process must detect performance problems at local schools, family guidance centers, and local service provider agencies. Management must demonstrate that it is able to synthesize the information regarding system performance and results achieved for students that is derived from the process and use the findings to make ongoing improvements and, when necessary, hold individuals accountable for poor performance.*

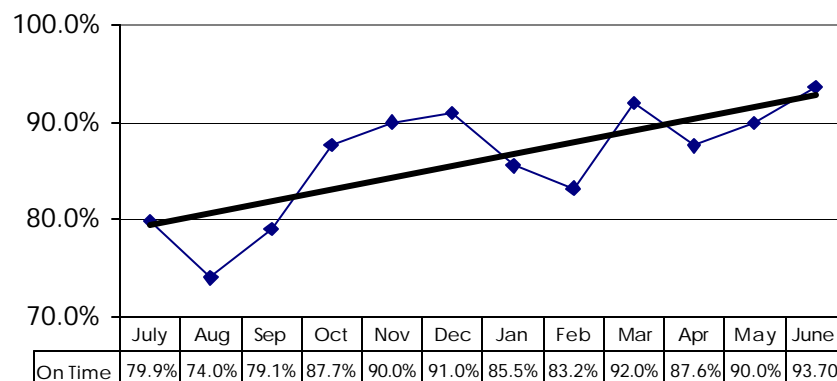
(Revised Felix consent Decree, July 1, 2000, page 20)

*Performance Goal #1: 90% of all eligibility evaluations will be completed within 60 days.*

Good practice and regulation expect timely evaluation to provide the foundation for an effective individualized education or modification program that will assist students in achieving content and performance standards. This measure identifies the timeliness with which the system provides this information to program planners.



60 Day Timeline



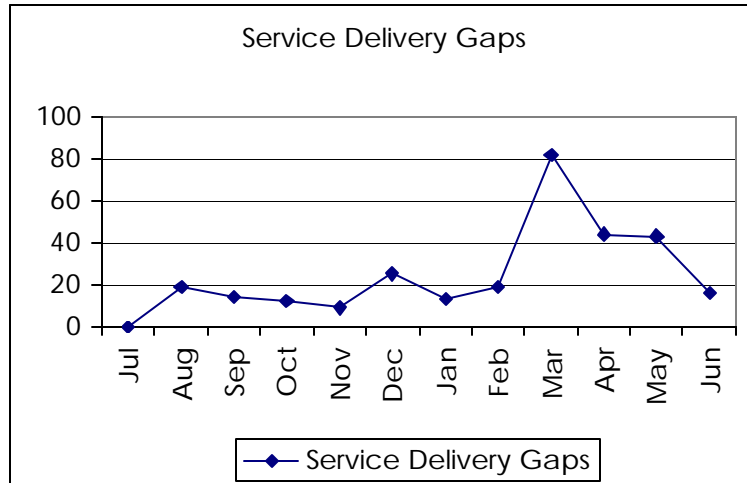
The timeliness of evaluation completion within this quarter has steadily improved. The trend line, the dark straight-line, clearly indicates continued steady improvement. The Department met this goal two (2) of the three (3) months. Several complexes with consistently low performance dramatically improved performance during May and June.

However, the data also clearly indicates system performance is uneven. In June 2003 Special Education Section, in cooperation with District Education Specialists, developed and is implementing an action plan to address uneven performance in this area. This action plan provides school administrators with tools and training to analyze school data and performance in the timely evaluation and plan development for students. It also identifies those schools with persistent underperformance for targeted technical assistance in analyzing data and making corrective actions.

*Performance Goal #2: There will be no disruption exceeding 30 days in the delivery of educational and mental health services to students requiring such services.*

A service delivery gap is a disruption in excess of 30 days of an SBBH or ASD related service identified in an IEP or MP. A “mismatch” in service delivery (i.e., counseling services expected to be provided by an SBBH Specialist actually delivered by a school counselor) is included in this category as a service delivery gap.

Gaps



The high number of service delivery gaps experienced last quarter attributed to the conversion of SBBH employees to civil service positions is decreasing. Sixteen (16) gaps reported in June is approximately the same as the number of gaps experienced early in the school year. With 8,447 students receiving SBBH and ASD services at any one time during this period, by June, 99.8% of the students received the SBBH or ASD related services identified in their educational programs.

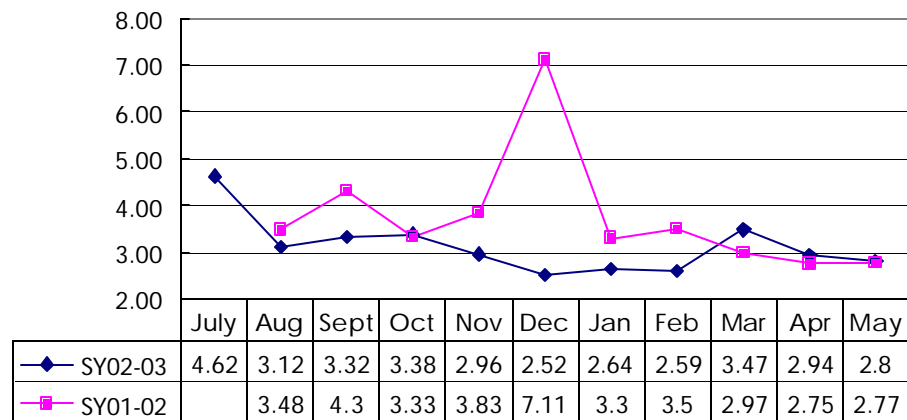
Gaps occurred in three distinct areas: skill trainers; medication monitoring; and individual/group ongoing interventions. These gaps tend to occur in geographically isolated areas.

Corrective actions taken during this quarter continue into the next school year. Newly developed and signed contracts will alleviate problems with skill trainers and medication monitoring through increased flexibility, costing, and coordination with complex staff. Additionally, the Department is working with the Department of Human Resource Development (DHRD) to establish entry-level positions in SBBH which will increase availability of staff to deliver ongoing individual and group interventions.

*Performance Goal #3: The suspension rate for students with disabilities will be less than 3.3 of the suspension rate for regular education students.*

With the exception of March 15 – April 15 2003, the statewide suspension rate for students with disabilities during this quarter was below the national average of 3.3. This goal was met. The table shows not only an improvement over last year but also consistently lower suspension rates than the national average.

## Suspension Rates SY01-02 and 02-03



Period is from mid month to mid month (e.g., Feb 15 – March 15)

Rate is based on suspensions during the month and is not cumulative.

Suspensions: Cumulative Statewide  
July 02 – June 03

State Totals	< 10 days	>10 days
RegEd	10,106	335
SpEd	4,376	107
Rate	3.16	2.34

The Special Education Section has developed and is implementing an action plan to address those identified complexes and schools with local level suspension rates based on local ratios of regular education to special education students that exceed the national average. These actions include, but are not limited to, identifying the causes of infractions and providing assistance from the Positive Behavior Support staff on problem identification and amelioration, as well as targeted assistance to administrators regarding school wide safety and student discipline.

*Performance Goal #4: 99.9% of students eligible for services through special education or Section 504 will have no documented disagreement regarding the appropriateness of their educational program or placement.*

There are two sources of documented disagreements. One source is a formal written complaint mechanism. By regulation, formal written complaints must be addressed within 60 days. A second source is the Request for an Impartial Hearing. A decision by an Administrative Hearings Officer is to be issued within 45 days of the filing of a request.

The Department did not meet this goal during this quarter, as only 99.8% of the students receiving service during this quarter had no documented disagreements. This is the result of the high number of Requests for Impartial Hearings. As a result, the Department has developed an action plan consistent with the recommendations in the Analysis of Requests for Impartial Hearings to reduce the number of documented disagreements.

#### Complaints

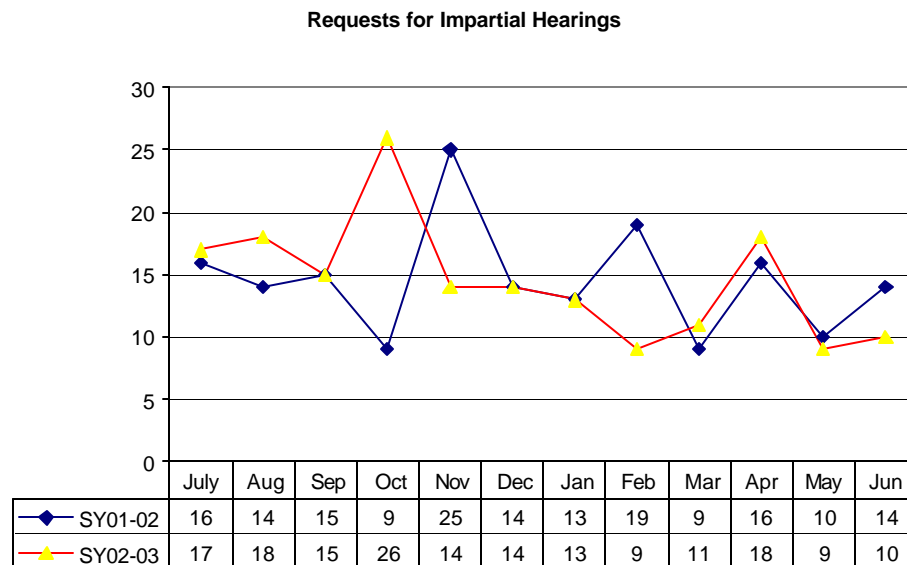
The number of formal written complaints regarding the delivery of mandated services and supports to students continues to be extremely low. During the fourth quarter the Department received only three (3) written complaints.

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Number	2	1	0	3

The Special Education Section, Complaints Office, also receives telephone inquiries regarding the delivery of educational services and supports to students with disabilities. These inquiries do not rise to the level of a formal complaint but nonetheless provide additional information regarding the degree to which school and complex staff are effective in communicating with parents regarding the educational needs, characteristics, and subsequent educational program decisions for students. There were 18 such calls during the 4<sup>th</sup> quarter.

#### Requests for Impartial Hearings

The number of requests for impartial hearings has been steadily increasing since 1997. During DY97-98 there were 71 such requests. The number increased to 131 in SY00-01. Last year there were 174 and this year there were again 174 requests.



An analysis of requests for impartial hearings and the outcomes was submitted to Court in June. That submission is contained in the attachment to this report.

*Performance Goal #5: The rate of students requiring SBBH, ASD, and/or Mental Health Services while on Home/Hospital Instruction will not exceed the rate of students eligible for special education and Section 504 services requiring such services.*

The number of students receiving Home/Hospital Instruction (H/HI) decreased from 232 to 227 in this quarter. Of these, 107 (47%) were students with disabilities. Twenty-five (23%) students with disabilities required either SBBH or Mental Health services as part of their IEP or MP. The percentage of students with disabilities in other educational arrangements with either SBBH or Mental Health in their educational plans is 32% statewide. This goal is met.

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Total # students on H/HI	173	234	232	227
# Students with disabilities on H/HI	90	112	76	107
% Of students with disability requiring SBBH or Mental Health	13%	15%	33%	23%
State % of students with disabilities receiving SBBH or Mental Health	45%	33%	33%	32%

The number of students placed in H/HI due to social and emotional needs has dropped this quarter.

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Number of Students	7	14	17	14

*Performance Goal #6: 100% of complexes will maintain acceptable scoring on internal monitoring reviews.*

Only one complex, Waiakea, conducted an Internal Review this quarter. As detailed earlier in this report, Waiakea Complex surpassed the goal of 85% on System Performance with a rating of 91%. Detailed information regarding performance is available in Section II of this report. The Department met this Performance Goal during the 4<sup>th</sup> quarter.

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Number of complexes reviewed	2	11	25	1
Percent of complexes passing	100%	73	88%	100%

*Performance Goal #7: 100% of the complexes will submit internal monitoring review reports in a timely manner.*

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Number complexes reviewed	2	11	17	9
Percentage of reports on time	0%	0%	29%	100%

All complexes scheduled to submit Internal Monitoring Review Reports as required by the Continuous Improvement Monitoring Process (CIMP) to the State Special Education Section did so in a timely manner. The corrective action plan that included clear communication regarding the format and compliance with timelines associated with the submittal of the reports has corrected this performance problem. This target is met.

*Performance Goal #8: State Level feedback will be submitted to complexes following the submittal of internal monitoring review reports in a timely manner.*

Quarter	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Number of reports	2	4	3	25
Percentage of responses on time	0%	0%	30%	100%

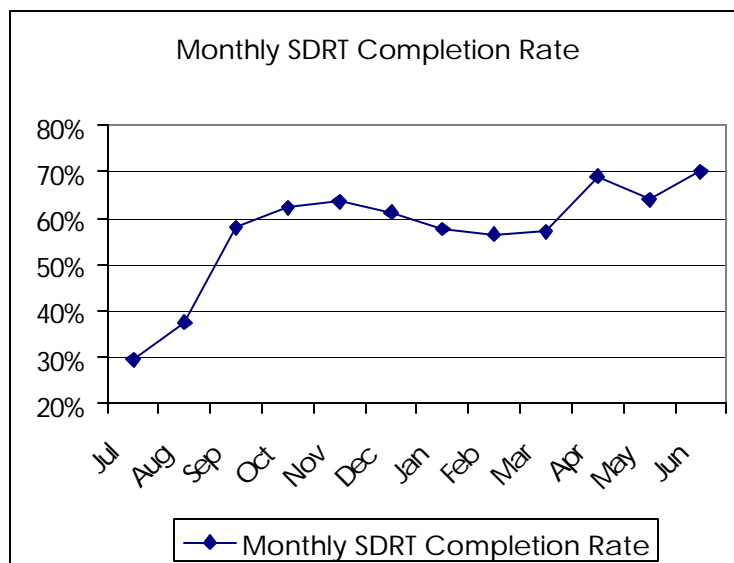
The same corrective action that ameliorated the above performance shortfall has rectified this as well. All of the state responses to complexes regarding their Internal Review Reports and Corrective Action Plans were sent in a timely manner this quarter.

*Performance Goal # 9: "95% of all special education students will have a reading assessment prior to the revision of their IEP."*

The Stanford Diagnostic Reading Test (SDRT) is used as the reading assessment prior to the annual revision of the IEP. It is recommended that the assessment be administered within 90 days of the IEP. The SDRT is a group-administered, norm-referenced multiple-choice test that assesses vocabulary, comprehension, and scanning skills.

The SDRT is not, nor is it intended to be, an adequate measure for a complete understanding of the student's PLEP. This is because, although diagnostic, the SDRT also falls into the category of summative assessments. A summative assessment is generally a measure of achievement or failure relative to a program or grade level of study.

Students exempted from the SDRT may need alternative (not alternate -- that refers to the state high stakes testing), formative assessments to guide instruction. This might be any combination of teacher observation, a one-on-one reading conference, the Brigance, etc.



This measure is not met at this time. As can be seen on the following graph the rate of timely completion is less than 70%.

ISPED now has SDRT completion rates available at the state, district, complex, and school level. These reports when combined with reports identifying IEPs that are scheduled for annual review have helped to increase the degree of compliance with this important performance measure.

The Special Education Section action plan addresses the completion rate of SDRT administration prior to IEP team meetings. Additional training is targeted at schools to ensure that responsible school staff are familiar with the SDRT and the use of SDRT data in IEP development. Additionally, the SDRT completion rates are one of the performance goals targeted for monthly state level monitoring and targeted assistance to complex staff engaged in supporting identified schools in need of improvement.

*Performance Goal #10: 95% of all special education teachers will be trained in specific reading strategies.*

Training of special education teachers was a two-year project. Approximately one half were to be trained each year. Cohort 1 includes 942 special education teachers. This cohort received training during the SY 2001-2002 from the previous Reading Specialist.

Cohort 2 is comprised of 1134 special education teachers trained during the SY 2002-2003 (2<sup>nd</sup> and 3<sup>rd</sup> Quarter) to write individualized programs (IEPs) for special education students containing specific reading and assessment strategies. Teachers were taught (a) reading strategies and assessments and (b) the direct link between them and writing effective IEPs containing specific reading strategies and assessments for special education students.

This target has been met. In total, more teachers have been trained in reading strategies than are actually in place in classroom settings due to transfers and new hires. Training plans are in place for next school year. New teachers and those requesting or selected for additional training will receive training during the next school year.

*Performance Goal #11: 90% of all individualized programs for special education students will contain specific reading strategies.*

To determine the degree of compliance with this expectation, 370 IEPs were randomly selected and reviewed. There was evidence of the inclusion of specific reading strategies in 345 (93%) of the sample. Only 4 of the 37 complexes had less than



90% of the sample with specific reading strategies. This performance goal is met. The Special Education action plan provides focused assistance to those 4 complexes.

*Performance Goal #12: System performance for students with Autism Spectrum Disorder will not decrease.*

The Department continues to use the Internal Review process as an indicator of system performance related to students with ASD. During the 4<sup>th</sup> quarter, only one internal review was conducted and only one student with ASD was part of the randomly selected sample

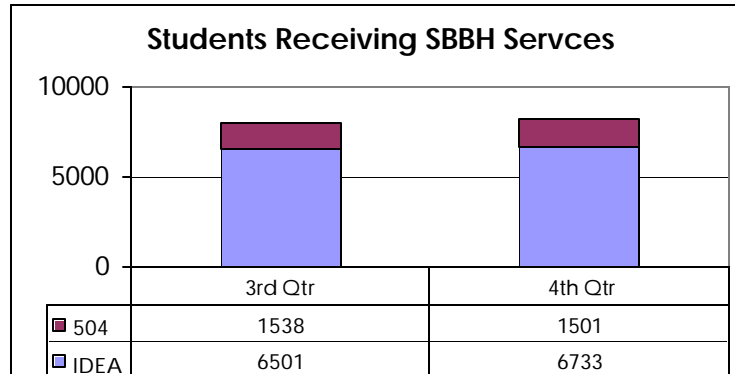
One student in one complex is not an adequate indicator of system performance. Nonetheless, within Waiakea Complex, the system performed in the acceptable range for this student. Those ratings in Overall Understanding, Overall Planning, Overall Implementation, and Overall Performance were 5 on a 6-point scale.

The Department is not relying on new contracts initiated on July 1, 2003 to maintain system performance in this area. An action plan specific to Improving Services to Children with ASD has been adopted and is being implemented. The plan builds upon the work of previous ASD Program Specialists and includes the development of “Best Practice” guidelines and tools in assessment, program development, and program implementation. It also furthers the development of model classroom and training sites with an emphasis on staff development in areas of high need or sparse resources.

Timelines in the action plan fall between July and November 2003.

*Performance Goal #13: The SBBH Program performance measures regarding service utilization will be met.*

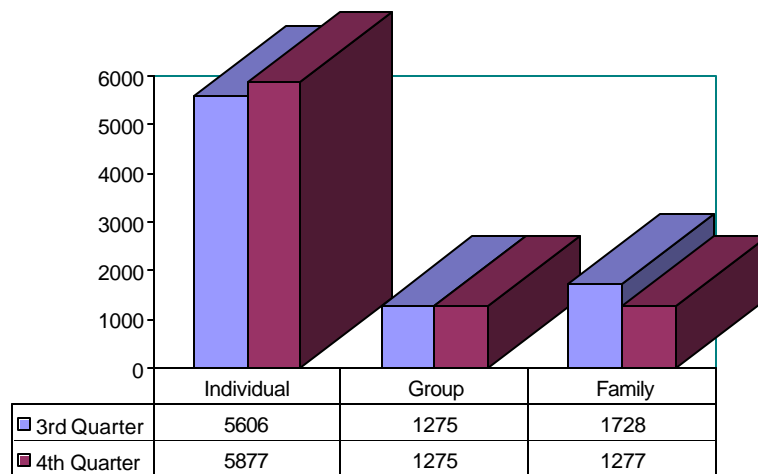
This section has the information on service utilization and entrances and exits from service. Monitoring trends in service utilization and provision allows SBBH Program Coordinators to coordinate service delivery and maximize resources.



An increase of 620 students (7.7%) was receiving SBBH services during this quarter. As can be seen in the graphic above the relative distribution of IDEA and 504 eligible students remained stable. Note: Due to some missing eligibility category data the numbers do not equal the total number of students receiving SBBH services, 8,435 during the 4<sup>th</sup> quarter. During this quarter, 1,110 students began receiving SBBH services while 817 stopped receiving services at their school setting. Formal SBBH interventions are either one time, as in the case of assessments, or on going, Individual Counseling, Group Counseling, Family Counseling/Parent Training, Community-Based Instruction (CBI) and Medication Monitoring. The data in the tables below is for students receiving on going SBBH services during March 2003. Medication monitoring for all 1041 students is done via contracted providers.

Similarly, contractors provide all CBI programs for students. During this quarter the total number of students receiving educational and mental health services in CBI programs was 131. Last quarter it was 154. These numbers represent the total number of students served not the number in the program at any one time.

The most frequently used on-going intervention continues to be individual counseling. Family counseling frequently is used in support of individual counseling provided at the school. As can be seen in the table on the next page, the number of students receiving individual counseling has increased significantly while family involvement has decreased. Since this is the first time data is being compared there is not sufficient information to determine if this is a trend or to draw conclusions regarding any possible significance.



With the exception of Family Counseling, DOE staff provides most interventions. Contract providers frequently provide both Family Counseling and Individual Counseling in combination with each other. As can be seen from the following graph, a wide variety of DOE staff provide these services to students.

Service Provider	#3 <sup>rd</sup> Qtr	%	4 <sup>th</sup> Qtr	%	% Change
<b>Individual</b>					
SBBH Spec	2662	61	2733	64	+2.6%
School Coun	1318	30	1006	24	-23%
At Rsk Coun	63	1	333	8	+425%
Psychologist	79	2	43	1	
Social Worker	193	4	155	4	-19%
<b>Total DOE</b>	<b>4393</b>	<b>78</b>	<b>4260</b>	<b>72</b>	<b>-0.3%</b>
<b>Contractors</b>	<b>1577</b>	<b>28</b>	<b>1617</b>	<b>28</b>	<b>+2.5%</b>
<b>Group</b>					
SBBH Spec	440	45	477	44	+8%
School Coun	464	47	482	44	+3.8%
At Rsk Coun	5	1	68	6	
Psychologist	1	0	1	0	
Social Worker	93	10	65	6	-30%
<b>Total DOE</b>	<b>978</b>	<b>77</b>	<b>1093</b>	<b>73</b>	<b>+10%</b>
<b>Contractors</b>	<b>116</b>	<b>9</b>	<b>408</b>	<b>27</b>	<b>+250%</b>
<b>Family</b>					
SBBH Spec	218	58	328	86	+64%
School Coun	13	3	10	3	
At Rsk Coun	0	0	2	0	
Psychologist	10	3	6	2	
Social Worker	95	25	37	10	-60%
<b>Total DOE</b>	<b>374</b>	<b>22</b>	<b>383</b>	<b>30</b>	<b>+0.1%</b>
<b>Contractors</b>	<b>1140</b>	<b>66</b>	<b>894</b>	<b>70</b>	<b>-20%</b>

*Performance Goal #14:**a) 60% of a sample of students receiving SBBH services will show improvement in functioning on the Teacher Report Form of the Achenbach**b) Student functioning as described on the Achenbach TRF scores on students selected for Internal Reviews will be equivalent to those of a national sample***Background**

The School-Based Behavioral Health (SBBH) program was implemented in the Department in July of 2001. Since the onset, it has been important to not only demonstrate that students deemed in need of SBBH services would have timely access to those services but that those with key roles in identifying and providing services to those students possessed the requisite knowledge and skills to ensure the services were effective and targeted to those students truly in need of such services. The Achenbach System of Empirically Based Assessments (ASEBA) is one instrument selected to assist in answering this question. This is the same instrument used by CAMHD in measuring improvements in child functioning.

Although the ASEBA has several components, the Teacher Report Form (TRF) is used for this initial phase of establishing a baseline because the TRF shows the strongest test-retest reliability and can provide the richest source of information about the child's functioning in the school setting. Classroom teachers, teacher's aides, counselors, administrators, and special educators can complete the TRF, making the data gathering feasible. The TRF is an easy to complete behavior rating scale.

The TRF has three main profiles: Internalizing, Externalizing and Total Problems. For this evaluation, the Internalizing and Externalizing scales will be used. The Internalizing grouping mainly reflects problems within the self, such as anxiety, depression, somatic complaints without medical cause, and withdrawal from social contacts. The Externalizing grouping, by contrast, represents conflicts with other people and with their expectations for children's behavior e.g., rule-breaking and aggressive behavior. The Total Problems scale is the sum of scores on all the problem items of a form.

Responses on the TRF are tabulated and a T Score is computed. The distribution of T Scores across domains reflects the screening nature of the ASEBA. Scores of 54 or less (below 68<sup>th</sup> percentile) are in the non-referral range unless otherwise specified. Scores of 55 – 64 (69<sup>th</sup> to 92<sup>nd</sup> percentile) are the students who are approaching a referral status and may need additional observation, further testing and/or referral for service. A T Score of 65 or above (93<sup>rd</sup> percentile) reflects an immediate need for further testing and professional service. Referral in this context refers to recommendations for formal mental health professional interventions.

### Sample

A stratified random sample was gathered by selecting 1 out of 10 students, excluding ASD and students served jointly with DOH. The ASEBA TRF data on 715 students were obtained in May and June of 2003. This represents nearly 10% of the students receiving SBBH ongoing interventions. In six months, (October – November 2003), the TRF will be completed and scored again on this baseline group to look at progress. Additionally, other key indicators will be compared to determine population and service delivery characteristics regarding the baseline group.

### Initial Findings

Overall, the baseline group appropriately reflect the students receiving SBBH services. As would be expected, the distribution across districts approximates that of the SBBH population. A lower number, 63.1%, of the students in the ASEBA sample are special education eligible. This is lower than the 79.8% that are in the SBBH population because the ASD and students served jointly by DOH are not included in this sample.

The distribution of T scores in the sample illustrates the relative “potential need” for services. The number of students scoring in the “non-referral” range of 68<sup>th</sup> percentile or lower, that is a score of 54 or less, was 35.4% on the Internalizing scale and 28.4% on the Externalizing scale. This suggests that SBBH services are being afforded student prior to the onset of recognizable clinical need. It would appear to suggest that teachers, SBBH, and other members of the school community, including parents, are sensitive to the behavioral/emotional needs of children.

The sample population reflects the national gender distribution of 3:1 males to females receiving interventions for behavioral concerns in school settings. There are few differences in the sample between those children receiving services by socio-economic status (as measured by students on free lunch) and level of distress as reported on the Achenbach TRF.

### Next Steps

Prior to the next quarterly report, further investigations into the ASEBA sample group will be conducted. An inquiry of the level of service provided students scoring in the clinical referral range, 93<sup>rd</sup> percentile and higher, will be made to see if these students are receiving more, and sufficiently intense, services. Similarly, an analysis of T scores by complex and grade level will be made to see if the pattern is similar to the overall distribution of T scores across the three levels, non-referral, approaching referral, and immediate referral, for both Internalizing and Externalizing scales.

The second quarter report for SY03-04 will contain the second round scores. This report will feature an analysis of the new data in the aforementioned manner as well as an investigation into the “progress” of those SBBH students over a 5-6 month period. Additionally, the data will be cross-tabulated by the type of service (e.g., Counseling) that the students are receiving to look at the impact of those services.

Commencing with internal reviews next school year, a second set of performance data generated during the complex Internal Reviews will allow the comparison of TRF data on students selected for reviews with a national sample. The measures will be used for special education students with and without SBBH services. This comparison will further elucidate the degree to which identification of students who may require SBBH services and the recognition of need for students who may require services beyond SBBH is timely and appropriate. Procedures for the inclusion of this in the internal review have been established and are part of the communication and training regarding Internal Reviews discussed earlier in this report.

*Performance Goal #15: System performance for students receiving SBBH services will not decrease.*

In order to continue to provide quality services to student requiring SBBH services significant training is provided to school and complex staff. Training on Functional Behavior Assessment, Cognitive Behavioral Therapy, Practice Guidelines, and other subjects were provided over 1,200 DOE staff through 433 hours of training. Training occurred in all districts with quality measures of over four (4), on 5-point scale. While participant responses shows there was a positive reception by DOE staff to the training offered, training sessions are not sufficient to effect meaningful knowledge transfer or to impact actual professional practice. Further training and measurement of practice change needs to be done in the following year.

A second broad measure of system performance is the use of case study data collected through the Internal Review process. The Department through the Internal Review process collects data on a sample of students in need of educational and mental health/behavioral health services. Through the use of a standard protocol, data is collected on system performance based on system activities directly related to the student's needs and services.

Just as in program evaluation of services to students with ASD, this information provides a valuable insight as a statewide indicator into system issues as they interact around individual students. Because this protocol is designed to provide program evaluation data on the entire system caution must be used in drawing conclusions regarding a discrete program component such as SBBH or ASD. SBBH system performance does not stand apart from the whole system; it is part of the system. There are other parts of the system whose performance impacts the student and the scoring. Additionally, because the number of students within any one complex is small, conclusions regarding

the performance of SBBH as a system within a complex should not be made.

However, this data on students with SBBH services does assist program managers and school staff identify areas of program performance, as they interact around students with SBBH services, that warrant attention. This could be because system performance is not at the desired levels or because system performance is strong. Focused attention in this manner enables program managers to make better decisions regarding the use of resources to impact student outcomes.

The following table provides information on the percentage of students receiving SBBH services for whom the system performance was acceptable.

<b>Indicator</b>	<b>Acceptable Performance</b>	
	<b>SY02-03</b>	<b>SY03-04</b>
<b><i>Understanding</i></b>	<b>88%</b>	
Child/Family Participation	93%	
Functioning Service Team	90%	
Focal Concerns Identified	84%	
Functional Assessment	80%	
<b><i>Planning Services</i></b>	<b>83%</b>	
Focal Concerns Addressed	88%	
Long-Term/Guiding View	75%	
Unity of Effort Across Agencies	78%	
Individual Design/Good Fit	89%	
Contingency Plan	77%	
<b><i>Implementing Services</i></b>	<b>89%</b>	
Resource Availability	92%	
Timely Implementation	87%	
Adequate Service Intensity	78%	
Coordination of Services	85%	
Caregiver Supports	91%	
Urgent Response	81%	
<b><i>Results</i></b>	<b>90%</b>	
Focal Situation Change	88%	
Academic Achievement	86%	
Risk Reduction	90%	
Successful Transitions	90%	
Parent Satisfaction	93%	
Problem Solving	85%	
<b>Overall Performance</b>	<b>88%</b>	

Similarly, as with the ASD data derived in the same manner, this information over time provides a baseline and measurement tool for comparing overall system performance around students with SBBH services. Changes over time will draw attention to areas

where system performance decreases and help demonstrate effective interventions designed to improve performance.

SBBH has developed an action plan to build upon the strengths evident in the above table to improve overall performance and target those areas falling below 85%. This action plan begins with ensuring that SBBH personnel understand and participate in the internal review process as a means to gain further insight into the truly integrated nature of SBBH services within the educational arena. The action plan also improves communication regarding the nature and delivery of SBBH services to school staff and parents.

## Summary

The Department of Education has set high expectations regarding infrastructure and performance goals. Measurements of these goals over the past year illustrate that the Department is maintaining the infrastructure set in place under the Felix Consent Decree and system performance continues to improve.

The past year has also shown that maintaining qualified teachers and professional staff highly trained in effective educational and behavioral interventions continues to challenge the system. That is not unexpected since the shortage of qualified special education teachers is nationwide. The Department still does not have the number of SBBH Specialists to meet staffing expectations and relies on contracts with private providers to deliver services to students. Clearly, continued diligence and increased efficiency in the recruitment, placement, and use of qualified staff is necessary to meet the Department's goals in this area.

The continued improvement in system performance is clearly visible, especially in the areas of discipline, timelines, and the use of the data management system, ISPED. However, there remain pockets, either a complex, a school within a complex or a program area (i.e., the entry of visit logs into ISPED) that require targeted, focused, and monitored intervention to ensure that statewide performance goals translate into improved system performance for specific students.